

774. Misbranding of frosting mix. U. S. v. 176 Cases * * *. (F. D. C. No. 25363. Sample No. 9943-K.)

LIBEL FILED: August 12, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about July 2 and 12, 1948, by the Taylor-Reed Corp., from Glenbrook, Conn.

PRODUCT: 176 cases, each containing 24 4½-ounce packages, of frosting mix at Brooklyn, N. Y.

LIBEL, IN PART: "Q-T Instant Pink Frosting Strawberry Flavor."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Strawberry Flavor" was false and misleading since the product contained little, if any, strawberry flavor.

DISPOSITION: October 11, 1948. The shipper, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Food and Drug Administration. On February 2, 1949, the claimant having consented to the entry of a decree, judgment was entered ordering the product destroyed.

775. Adulteration and misbranding of sirup. U. S. v. 5 Cases * * *. (F. D. C. No. 24977. Sample No. 674-K.)

LIBEL FILED: June 28, 1948, Middle District of Georgia.

ALLEGED SHIPMENT: On or about March 27, 1948, by the Sanson Meal Co., from Jacksonville, Fla.

PRODUCT: 5 cases, each containing 24 16-ounce bottles, and 50 72-ounce cans of sirup at Americus, Ga.

LIBEL, IN PART: "Sanson Pure Sugar Cane Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing 80 percent sugar sirup and 20 percent cane sirup had been substituted for pure sugar cane sirup.

Misbranding, Section 403 (a), the label statement "Pure Sugar Cane Syrup" was false and misleading.

DISPOSITION: August 10, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

776. Adulteration of brown sugar. U. S. v. 222 Bags * * *. (F. D. C. No. 25206. Sample No. 20614-K.)

LIBEL FILED: On or about August 2, 1948, Western District of Missouri.

ALLEGED SHIPMENT: On or about December 1, 1947, and January 27, 1948, from San Francisco, Calif.

PRODUCT: 222 100-pound bags of brown sugar at Kansas City, Mo., in possession of Crooks Terminal Warehouse.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and insects; and, Section 402 (a) (4), in that it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 20, 1948. Crooks Terminal Warehouse, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration. Of the 96 bags seized, 61 bags were found to be satisfactory. The 35 contaminated bags of the product were denatured and disposed of for use as cattle feed.

DAIRY PRODUCTS

BUTTER

The following cases report actions involving butter that consisted in whole or in part of filthy or decomposed substances, Nos. 13777 to 13779, and butter that was below the standard for milk fat content, Nos. 13780 to 13784.

13777. Adulteration of butter. U. S. v. Fairmont Foods Co., a corporation, and Maurice W. Coffin. Pleas of guilty. Corporation fined \$250; individual defendant fined \$25. (F. D. C. No. 24551. Sample No. 713-K.)

INFORMATION FILED: April 27, 1948, Western District of Oklahoma, against Fairmont Foods Co., Guthrie, Okla., and Maurice W. Coffin, manager.

ALLEGED SHIPMENT: On or about September 15, 1947, from the State of Oklahoma into the State of Florida.

LABEL, IN PART: "Fairmont's Better Butter."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 16, 1948. Pleas of guilty having been entered, the corporation was fined \$250 and the individual defendant \$25.

13778. Adulteration of butter. U. S. v. 16 Cartons (1,024 pounds) * * *. (F. D. C. No. 23481. Sample No. 77288-H.)

LABEL FILED: April 14, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: On or about April 9, 1947, by the Kellogg Cooperative Creamery, from Kellogg, Minn.

PRODUCT: 16 64-pound cartons of butter at Dubuque, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. (Examination showed that the product contained rodent hairs.)

DISPOSITION: May 27, 1947. The shipper having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released upon the filing of a bond, conditioned that the butter be converted into butter oil and that the oil be denatured under the supervision of the Food and Drug Administration. On June 10, 1947, the claimant having failed to furnish bond or pay costs, the product was ordered sold, to be converted into soap stock or other products not for human consumption.

13779. Adulteration of butter. U. S. v. 25 Cases * * *. (F. D. C. No. 25368. Sample No. 23006-K)

LABEL FILED: June 15, 1948, Western District of Louisiana.